

Koch, Kristine

From: Jen Woronets <jworonets@anchorqea.com>
Sent: Tuesday, April 14, 2015 11:07 AM
To: Albright, Rick
Cc: Jen Woronets; Bob Wyatt; Patty Dost; Margaret Kirpatrick; Brave, Jennifer; Koch, Kristine
Subject: FW: Portland Harbor Dispute Decision
Attachments: RE: Request for Copy of January 22, 2015 Email; RE: Additional Background Contaminants

Mr. Albright,

The following email is provided on behalf of Bob Wyatt.

Rick,

The Lower Willamette Group (LWG) needs you to formally clarify two specific items in your March 24, 2015, dispute decision on the background calculations in the revised Remedial Investigation (RI) Section 7. The first item is related to your direction for the LWG to calculate background threshold values for 23 additional contaminants utilizing EPA's methodology within 30 days of the decision. The LWG contacted the Region 10 Remedial Project Manager (RPM), Kristine Koch, to request the list of the 23 contaminants. Ms. Koch responded with an email instructing the LWG to calculate background threshold values on 17 contaminants presented in RI Appendix H (see attached). Please confirm that the LWG will fulfill your specific direction to generate 23 values by generating background threshold values for these 17 additional contaminants within 30 days of your letter. The LWG respectfully requests your written confirmation because Dan Opalski's December 2012 dispute decision included a statement that EPA RPMs cannot bind the agency and the LWG does not want to face penalties for failing to follow your specific direction.

The second item arises from the list of references in your March 24 decision. Specifically, you listed an email from Elizabeth Allen to you dated January 22, 2015, titled "Outlier Test for OCB Congeners" as one of the documents in the official administrative record that you relied upon. The LWG submitted a request to Ms. Koch for a copy of this email because we were not familiar with it, and Ms. Koch responded by sending us an email from Ms. Allen dated January 5, 2015, and stating that she believed this was the email you were referencing (see attached response from Ms. Koch with copy of the January 5 email from Ms. Allen). Please confirm whether the January 5 email from Ms. Allen is the correspondence that you have placed in the administrative record and that you relied upon in your March 24 letter.

Thank you, Bob.

Please let us know if you have any questions.

Thank you,
Jen Woronets ©
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From: Wyatt, Robert [mailto:rjw@nwnatural.com]
Sent: Tuesday, March 24, 2015 9:33 AM
To: Tod Gold; Patty Dost; Barbara Smith
Cc: Jim McKenna (Jim) (jim.mckenna@verdantllc.com); Jen Woronets
Subject: FW: Portland Harbor Dispute Decision

From: Brave, Jennifer [brave.jennifer@epa.gov]
Sent: Tuesday, March 24, 2015 9:27 AM
To: Kirkpatrick, Margaret; Wyatt, Robert
Subject: Portland Harbor Dispute Decision

Dear Margaret and Bob,

Rick Albright, Director of the Office of Environmental Cleanup for EPA Region 10, has made his decision on the background dispute at Portland Harbor. The decision is attached. If you have any questions on this dispute decision, please contact Mr. Albright at 206-553-1847.

Thank you,

Jennifer Brave | Executive Office Manager
U.S. Environmental Protection Agency
Office of Environmental Cleanup

Phone: 206.553.6241
Fax: 206.553.8581